

**CHAPTER NO. 1062**

**HOUSE BILL NO. 1402**

**By Representatives Kisber, Kernell**

**Substituted for: Senate Bill No. 1409**

**By Senators Cohen, Gilbert, Person**

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10 and Title 3, Chapter 6, relative to lobbying of certain public officials and employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-10-203(j), is amended by designating the existing language as subdivision (1) and adding the following language as new subdivisions:

(2) If a member of the registry is also serving as an appointed public official and is subsequently required to run in a nonpartisan election to retain that office, the provisions of subsections (h)(1), (h)(3), and (h)(4) shall not apply to that member after resignation from the registry in order to run for such office. The provisions of this subdivision shall cease to be effective on June 1, 1999.

(3) A member of the registry of election finance may not be appointed or hired by an official over whom the registry has jurisdiction for one (1) year subsequent to the removal, vacancy or termination of the term of office of such member.

SECTION 2. Tennessee Code Annotated, Section 3-6-104(a), is amended by adding the following:

When a person registers, the provisions of Section 3-6-114 shall apply to such lobbyist for the remainder of the registration year.

SECTION 3. Tennessee Code Annotated, Section 3-6-114(b)(9), is amended by inserting between the words "or" and "beverages" wherever they may appear the word "entertainment".

SECTION 4. Tennessee Code Annotated, Section 3-6-114(b)(9), is further amended by designating the existing language as subdivision (A) and by adding the following new subdivision:

(B) In calculating the limits established by subdivision (A), sales tax and gratuity are excluded.

SECTION 5. Tennessee Code Annotated, Section 3-6-114(b)(8), is amended by adding the following new subdivision:

(B) Entertainment, food, refreshments, meals, foodstuffs or beverages that are provided in connection with a conference if the conference is sponsored by an established or recognized association of elected state government officials, staff of elected state government officials or both officials and staff or any other group or association which is an umbrella organization for such officials, staff, or both officials and staff and if the state pays membership dues to such conference.

SECTION 6. Tennessee Code Annotated, Section 3-6-114(b), is amended by adding the following language as new, appropriately numbered subdivisions:

( ) Food, refreshments, meals, foodstuffs, entertainment, beverages or intrastate travel expenses that are provided in connection with an event where the candidate for public office, an official in the legislative branch or an official in the executive branch, or immediate family member of such candidate or official is a speaker or part of a panel discussion at a scheduled meeting of an established or recognized membership organization which has regular meetings.

( ) Health care services which are provided or rendered on state property and are offered as a courtesy to all officials or employees of the legislative or executive branch;

( ) Travel expenses for intrastate ground travel for which no fare is ordinarily charged;

SECTION 7. Tennessee Code Annotated, Section 2-10-310(a) and (b) are amended by deleting the subsections in their entirety, and by substituting instead the following language:

(a) From the convening of the General Assembly in Organizational Session through the earlier of the last day of regular session or June 1 in odd years and from the convening of the General Assembly in regular session to the earlier of May 15 or the conclusion of the annual session in even years, no member of the General Assembly or a member's campaign committee shall conduct a fundraiser or solicit or accept contributions for the benefit of the caucus, any caucus member or member or candidate of the General Assembly or Governor.

(b) From the convening of the General Assembly in Organizational Session through the earlier of the last day of regular session or June 1 in odd years and from the convening of the General Assembly in regular session to the earlier of May 15 or the conclusion of the annual session in even years, a political campaign committee controlled by a political party on the national, state, or local level or by a caucus of such political party established by members of either House of the General Assembly, which makes contributions to a candidate for the General Assembly or Governor for election or to defray the expenses of such person's office shall not conduct a fundraiser, solicit or accept, contributions for the benefit of the caucus, any caucus member or candidate for the General Assembly or Governor.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 1, 1998**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 19<sup>th</sup> day of May 1998

  
DON S. QUIGLEY, GOVERNOR